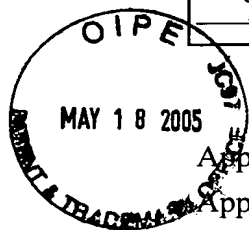


**Certification of Mailing or Facsimile Transmission**  
 I hereby certify that I have reasonable basis to expect that, on the date shown below, this correspondence is being submitted as indicated below:  
☒ [X] mailed or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
 Mail Stop \_\_\_\_\_ Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450  
☐ [ ] facsimile transmitted to the U.S. Patent and Trademark Office via fax number (703) 872-9306

Cindy Lukas for Cynthia L. Clay \$4.930  
 Name \_\_\_\_\_ Registration No (if applicable) \_\_\_\_\_  
 Signature \_\_\_\_\_  
 Date May 13, 2005

1/2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/725248  
 Applicant(s) : Sharon Ann Norton, et al.  
 Filed : December 1, 2003  
 Title : Compositions Comprising Fermentable Fiber Which Are Adapted For Use By A Companion Animal And Kits And Methods Of Their Use  
 TC/A.U. : 1623  
 Examiner :  
 Conf. No. : 1932  
 Docket No. : P145  
 Customer No. : 27752

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

**[X] 37 C.F.R. §1.97(b)(3) - (use when filing IDS more than 3 months after filing a nonprovisional patent application, but prior to receipt of first Office Action)**

This information disclosure statement is being submitted under 37 C.F.R. §1.97(b)(3). An Office Action on the merits in the present application has not yet been

received. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter (or a fee transmittal form) is enclosed to facilitate charging of the fee, if necessary.

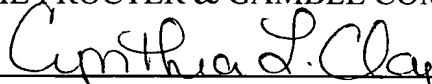
**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

[X] In accordance with 37 C.F.R. §1.98(a)(2), copies of only foreign patent documents and non-patent literature are enclosed.

[X] It is respectfully requested that the Examiner consider and make of record the co-pending applications listed on the attached page.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY



Signature

Cynthia L. Clay

Typed or printed name

Registration No. 54,930

(513)

Date: May 13, 2005

**Customer No. 27752**

(IDS.doc) (Last Revised 4/11/2005)



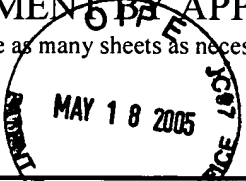
### CO-PENDING U.S. APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) are only required where the cited pending application is NOT stored in the USPTO's IFW system (see 37 CFR 1.98(a)(2)(iii)).

<u>Atty. Docket No.</u>	<u>Serial Number</u>	<u>Inventor(s)</u>	<u>Filing Date</u>	<u>Copy in IFW?</u>
P146	10/725251	Vickers et al.	12/01/2003	Yes
P147	10/724839	Sunvold et al.	12/01/2003	Yes

[Only applications that remain pending at the time of submitting **this IDS** should be listed here. For applications that have published or issued as patents, the published applications or granted patents should be listed on Form PTO/SB08.]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)    SHEET 1 of 3	<b>COMPLETE IF KNOWN</b>	
	Application Number	10/725248
	Confirmation Number	1932
	Filing Date	December 1, 2003
	First Named Inventor	Norton et al.
	Group Art Unit	1623
	Examiner Name	
Attorney Docket Number	P145	

**U. S. PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	DOCUMENT NUMBER Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	US-4,927,811	05-22-1990	Coors Biotech, Inc.	
	2	US-5,294,458	03-15-1994	Maruha Corp.	
	3	US-5,616,569	04-01-1997	The Iams Company	
	4	US-6,596,332	07-22-2003	Nestec S.A.	
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS*	Cite No. <sup>1</sup>	<b>FOREIGN PATENT DOCUMENT</b>		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	5	Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	09-13-2001	Mars UK Ltd.		
	6			09-25-2002	Societe Des Produits Nestle S.A.		
	7			08-22-2001	Tiense Suikerraffinaderij N.V.		
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)  SHEET 2 of 3	<b>COMPLETE IF KNOWN</b>	
	Application Number	10/725248
	Confirmation Number	1932
	Filing Date	December 1, 2003
	First Named Inventor	Norton et al.
	Group Art Unit	1623
	Examiner Name	
	Attorney Docket Number	P145

## NON PATENT LITERATURE DOCUMENTS

EXAMINE R INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	8	SUNVOLD ET AL., "In Vitro Fermentation Of Selected Fibrous Substrates By Dog And Cat Fecal Inoculum: Influence of Diet Composition On Substrate Organic Matter Disappearance And Short-Chain Fatty Acid Production", <u>Journal of Animal Science</u> , vol. 73, no. 4, 1995, pgs. 1110-1122	
	9	PROBST ET AL., "A Dose-Response Experiment Evaluating The Effects Of Oligofructose And Inulin On Nutrient Digestibility, Stool Quality, And Fecal Protein Catabolites In Healthy Adult Dogs", <u>J. Animal Science</u> , vol. 81, 2003, pgs. 3057-3066	
	10	SWANSON ET AL., "Supplemental Fructooligosaccharides And Mannanligosaccharides Influence Immune Function, Ileal And Total Tract Nutrient Digestibilities, Microbial Populations And Concentrations Of Protein Catabolites In The Large Bowel of Dogs", <u>American Society For Nutritional Sciences</u> , vol. 132, 2002, pgs. 980-989	
	11	HUSSEIN, H. S., FLICKINGER, E. A., AND FAHEY, G. C., "Petfood Applications Of Inulin And Oligofructose," <u>Journal Of Nutrition</u> , vol. 129, 1999, pgs. 1454-1456, XP002323326	
	12	GRIESHOP CHRISTINE M ET AL: "Gastrointestinal And Immunological Responses Of Senior Dogs To Chicoroy And Mannanligosaccharides." <u>FASEB Journal</u> , vol. 17, no. 4-5, March, 2003, XP002324194, Abstract No. 202.5	
	13	PATIL AVINASH R ET AL: "Supplementation Of Soluble Fiber To Wet Cat Food Affects Fecal Microflora Of Cats." <u>FASEB Journal</u> , vol. 16, no. 4, March 20, 2003, page A654, Abstract XP002324182	
	14	OHTA ATSUTANE ET AL: "Prevention Of Coprophagy Modifies Magneisum Absorption In Rats Fed With Fructo-Oligosaccharides," <u>British Journal Of Nutrition</u> , vol. 75, no. 5, 1996, pgs. 775-784, Abstract, XP002324183	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

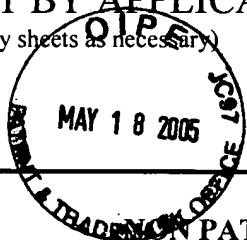
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXAMINER	DATE CONSIDERED
----------	-----------------

P145PTO-SB08

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO		COMPLETE IF KNOWN	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number	10/725248
		Confirmation Number	1932
		Filing Date	December 1, 2003
		First Named Inventor	Norton et al.
		Group Art Unit	1623
		Examiner Name	
SHEET 3 of 3		Attorney Docket Number	P145



## PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	15	OYARZABAL, O. A. AND CONNER, D. E.: "Application Of Deirect-Fed Microbial Bacteria And Fructooligosaccharides For Salmonella Control In Broilers During Feed Withdrawal," <u>Poultry Science</u> , vol. 75, 1996, pgs. 186-190, XP008045301	
	16	HOGARTH, A. J. C. L. ET AL.: "Ion Chromatographic Determination Of Three Fructooligosaccharide Oligomers In Prepared And Preserved Foods," <u>Journal Of Agricultural And Food Chemistry</u> , vol. 48, 2000, pgs 5326-5330, XP002323323, <u>US American Chemical Society</u> , Washington, pg 5327, c. 1, paragraph 4, pg. 5328, c.1 paragraphs 2, tables 3	
	17	CAMPBELL, J.M. ET AL.: "Selected Fructoligosaccharide (1-Kestose, Nystose, And 1-Beta-Fructofuranosylnystose) Composition Of Foods And Feeds," <u>Journal Of Agricultural And Food Chemistry</u> , vol. 45, 1997, pgs. 3076-3082 XP002323324, <u>US American Chemical Society</u> , Washington, pg. 3076, c. 2, paragraph 2, pg. 3077, c. 1, paragraphs 2, 3, tables 5, 7	
	18	ZENTEK, J., MARQUART, B., PIETRZAK, T., BALLEVRE, O., AND ROCHAT, F.: "Dietary Effects On Bifidobacteria And Clostridium Perfringens In The Canine Intestinal Tract," <u>Journal Of Animal Physiology And Animal Nutrition</u> , vol. 87, November 2003, pgs. 397-407, XP002324180	
	19	L'HOMME, C., PUIGSERVER, A., AND BIAGINI, A.: "Effect Of Food Processing On The Degradation Of Fructoligosaccharides In Fruit." <u>Food Chemistry</u> , vol. 82, September 2003, pgs. 533-537, XP002323335, Gbelsevier Science Publishers Ltd., fig. 3; table 1.	
	20	OLI M W ET AL: "Influence Of Fructooligosaccharide (Neosugar) In Oral Electrolyte Solutions (OES) For Treatment Of Secretory Diarrhea," Abstracts Of The General Meeting Of The American Society For Microbiology, The Society, Washington, DC, US, vol. 95, 1995, pg. 205, XP000617800 Abstract	
	21	CHANDRA G ET AL: "The Addition Of Neosugar To Oral Electrolyte Solutions (OES) For Treatment Of Acute Diarrhea," <u>FASEB Journal</u> , Fed. Of American Soc. For Experimental Biology, vol. 9, no. 3, 1995 pg. A368, XP002025324, Abstract	
EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.